

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DISCOVER FINANCIAL SERVICES, INC.,

Plaintiff,

- against -

VISA U.S.A., INC., VISA INTERNATIONAL  
SERVICE ASSOCIATION, MASTERCARD  
INCORPORATED, MASTERCARD INTERNATIONAL  
INCORPORATED,

Defendants.  
-----X

AMERICAN EXPRESS TRAVEL RELATED  
SERVICES COMPANY, INC.,

Plaintiff,

- against -

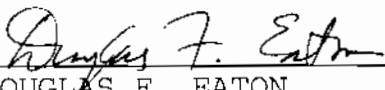
VISA U.S.A., INC., et al.,

Defendants.  
-----X

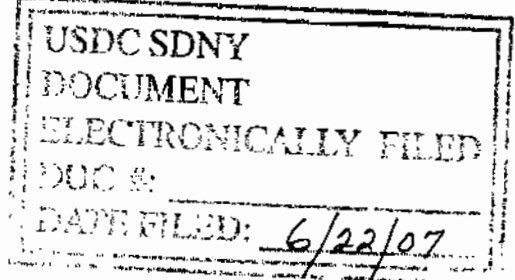
DOUGLAS F. EATON, United States Magistrate Judge.

I am responding to the joint letter from Discover Financial and Visa U.S.A., Inc. dated June 15, 2007 (18 pages, plus Exhs. A-H). Pursuant to my normal practice, I plan to keep the joint letter and its exhibits in my chambers file, and I do not plan to have it docketed.

I essentially agree with the positions stated by Visa at pages 9-17 of that letter. I deny each of the requests set forth by Discover Financial in its proposed order (Exh. H).

  
DOUGLAS F. EATON  
United States Magistrate Judge  
500 Pearl Street, Room 1360  
New York, New York 10007  
Telephone: (212) 805-6175  
Fax: (212) 805-6181

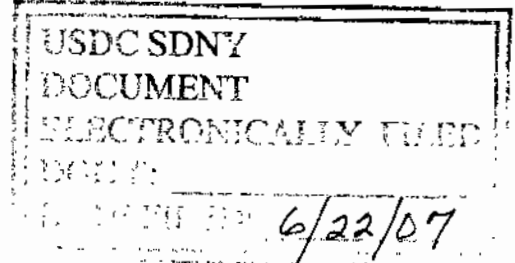
Dated: New York, New York  
June 20, 2007



04 Civ. 7844 (BSJ) (DFE)

MEMORANDUM AND ORDER

This is an ECF case.



04 Civ. 8967 (BSJ) (DFE)

MEMORANDUM AND ORDER

This is an ECF case.

Copies of this Memorandum and Order will be sent by fax to Jeffrey I. Shinder at 212-350-2701fax, and to Julie B. Rottenberg at 202-942-5999fax, and by electronic filing to all counsel and to Hon. Barbara S. Jones.